SENATE—*Tuesday, February 29, 2000*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Loving Father, we ask for humility to accept leadership from You and from those called to be leaders in this Senate. We realize what a difficult task it is to work through conflicts, to work out compromises, and to work for consensus. Endow our leaders, TRENT LOTT and TOM DASCHLE, DON NICKLES and HARRY REID, with a special measure of wisdom as they seek to foster oneness in the Senate. Help all of the Senators to delight in the diversity that sheds varied shades of light on the truth and in the debate that exposes maximum solutions.

Dear Father, may the Senators never forget that they are brothers and sisters in Your eternal family. May this Senate be distinguished for its civility, courtesy, and compassion. Your spirit flourishes where men and women pray for each other, speak truth as they see it without rancor, and listen attentively to each other. Our prayer is that the bond of mutual love for You and for our beloved Nation will keep us one in the spirit of mutual trust and uncompromised trustworthiness. God, bless America and begin in the Senate. You are our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PAUL COVERDELL, a Senator from the State of Georgia, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Georgia is recognized.

SCHEDULE

Mr. COVERDELL. Mr. President, today the Senate will immediately resume consideration of the education savings accounts legislation. The pending amendment is the Collins amendment regarding tax deductibility of teacher development supplies. It is expected that the Collins amendment will be laid aside so that other amendments may be offered and debated. Therefore, Senators may anticipate votes throughout today's session of the Senate. As previously mentioned, Senators who have amendments should work with the bill managers on a time to offer those amendments. As a reminder, the Senate will recess from 12:30 to 2:15 p.m. so that the weekly party conferences may meet.

I thank my colleagues for their attention.

ORDER FOR RECESS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate stand in recess from 11 a.m. to 2:15 p.m. today to accommodate the bipartisan Governors' meeting and the weekly party conference meetings.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COVERDELL. I yield the floor.

AFFORDABLE EDUCATION ACT OF 1999—Resumed

The PRESIDENT pro tempore. The clerk will report the bill.

The bill clerk read as follows:

A bill (S. 1134) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

Pending:

Collins amendment No. 2854, to eliminate the 2-percent floor on miscellaneous itemized deductions for qualified professional development expenses of elementary and secondary school teachers and to allow a credit against income tax to elementary and secondary school teachers who provide classroom materials.

The PRESIDENT pro tempore. The able Senator from Nevada is recognized.

Mr. REID. I ask unanimous consent that the pending amendment be set aside.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 2857

(Purpose: To increase funding for part B of the Individuals with Disabilities Education Act)

Mr. REID. Mr. President, I send an amendment to the desk for Senator DODD, who is in transit, cosponsored by Senator REID of Nevada and Senator DORGAN.

The PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DODD, for himself, Mr. REID, Mr. DORGAN, Mr. KENNEDY, and Mr. REED, proposes an amendment numbered 2857:

Strike section 101 and insert the following:

SEC. 101. IDEA.

There are appropriated to carry out part B of the Individuals with Disabilities Education Act $1,200,000,000, which amount is equal to the projected revenue increase resulting from striking the amendments made to the Internal Revenue Code of 1986 by section 101 of this Act as reported by the Committee on Finance of the Senate.

Mr. REID. Mr. President, Senator DODD has worked on this issue for many years. He will be here shortly.

I am very happy we are finally getting the opportunity to have a serious debate about some of the educational problems we face in America today. It doesn't matter which of the 50 States you go to, there are problems dealing with education. I would be very happy if, rather than debating alternatives to public education, we started debating how to improve public education. More than 90 percent of the children in America go to public schools. We should be focused on how best to educate that 90-plus percent of children in America today.

The Federal Government provides 6 percent of the total education spending—roughly $38 billion. That $38 billion, by the way, is just 2 percent of the total Federal Government's budget. So we spend in America, the greatest nation in the world, the only superpower, 2 percent of our budget to educate our kids. Most Americans do not realize how little the Federal Government contributes to education.

I repeat that figure. The Federal Government spends about 2 percent of its budget on education. Within these tight budget constraints, we must focus on what works. I hope we will start talking about what works and about some of the things that maybe don't work as well and some new things we need to do in the area of education. I hope we can spend some time talking about and providing money for recruiting and training high-quality teachers, principals, and administrators. I hope we can spend some time talking about creating smaller classes and smaller learning communities in large schools. We have had experiences around the country from which we know that smaller schools work better than larger schools.

Deborah Meyer is an expert in this field. She was a school administrator in New York—a large school that is not doing well. She decided, because they were doing so poorly in all areas, that they had to do something radically different. She spoke to her superiors. They agreed to break the school up

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

into four separate schools, with teachers who would report to separate administrators—four distinct schools. Within a very short period of time, all test scores skyrocketed. Everything about those schools improved. Having four schools instead of one school made it easier to teach the kids. The kids felt like they were part of the community.

We need to talk about how we can create smaller schools and smaller classes generally.

We all agree that we need to spend some time and provide resources so we can have schools, teachers and administrators more accountable. We have to ensure that children learn in modern, safe classrooms and repair schools in urgent need of renovation.

When I was growing up in Southern Nevada, the place we all looked to with great admiration was Boulder City, NV. It was the town that was formed as a result of Boulder Dam, now Hoover Dam. It was a wonderful community. In southern Nevada, it was one of the few places that had grass. It was a company town. They did not allow gambling. The only kind of alcohol that was allowed to be served was 3.2-percent beer. It was really a unique town in Nevada. Kids did very well on all their tests. Their athletic teams were tremendous, even though it was a small school.

A while ago, I was asked to visit that school. They wanted to show me how that school had deteriorated physically—the plan, which had been the admiration of all Nevada, had gone downhill. The gymnasium was rundown. The track where the kids would participate in athletics was in very bad shape. In some places they did not even have hot water. They could not bring in computers because the wiring was so bad.

A lot of schools are that way. There have been some improvements made to Boulder City High School, but it is still an old, old facility. It is a perfect example of a school that needs renovation. You may ask why isn't it renovated. Well, the Clark County school district, which is the seventh or eighth largest school district in America, is growing very rapidly; it is the fastest growing school district in all of America, with approximately 220,000 kids. In 1 year, to try to meet the demands of the children of Clark County, they dedicated 18 new schools—in one school district. They have to build an elementary school every month to keep up with the growth in Clark County. They need to have the resources to be able to renovate schools. They have been too busy building new schools.

That is why it is important that we do something to help local school districts renovate and build new schools. Of course, we need to expand access to technology. One way of doing that is to have modern schools. We have to ensure universal access to high-quality preschool programs and make college more affordable.

I have talked about Nevada; there is probably no better State than Nevada to see the struggles with which our public schools in this country are dealing. Today, they are having a Governor's conference in Washington. Governors from around the United States are gathered here. In the Nevada papers today, they are reporting a conversation with Governor Guinn, newly elected from Nevada. He was formerly the superintendent of schools of Clark County when it was a relatively small school district. He is saying that one of the problems they are having in Nevada is the Federal Government is not helping enough, that they are running $75 million to $80 million short just in the Clark County school district every year in the ability to take care of special ed students.

Well, that is what this amendment is all about. This amendment would provide all or part of that $75 million for the Clark County school district, so the Federal Government would, in effect, meet the obligation that it has. When it came to be that, instead of having separate school districts, setting a different standard for children who are handicapped, the Federal Government set standards. Now all school districts have to meet the same standards. Prior to that time, different school districts would have different standards for handicapped children. The agreement, or reasoning, or idea was that it would cost about 40 cents for each dollar extra to educate a handicapped child. But the Federal Government hasn't met that obligation. Now it has even dropped in recent years. Instead of 40 cents, it is 6 cents. This amendment is an effort to raise that, to take money and provide it to the handicapped children—those in need of help, the special needs children.

Clark County, as I have indicated, is exploding in population. In just 10 years, Clark County school district enrollment has more than doubled. We can pick any school to show the growth, but let's take the school called Silverado, a high school in Las Vegas. The school now has about 3,800 students, which is 42, 45 percent over capacity. It is expected to grow. Next year, they think Silverado will have over 4,000 students in it. For children at Silverado, it is not only a difficult learning environment, but just to go to a restroom is a real problem. They have the same number of restrooms that they would have for 40 percent less children. This problem at Silverado is true throughout the Clark County school district. I am sorry to report that it is this way around many parts of the country. We have the need for new schools in Clark County, some need renovations. Around many parts of the country, the need is as bad for renovating schools as for building new ones.

In Clark County, we are struggling to find qualified teachers. Last year, we had to hire almost 2,000 new schoolteachers in 1 year. That is a real job. Our university system can't produce nearly enough teachers to meet the demands—almost 2,000 new teachers in one school district. We need help in recruiting and training highly qualified teachers.

Nevada is a State—I am not happy to report—which has the highest dropout rate of any State in the country. But there is no State in the Union that should feel smug about dropout rates. In America today, 3,000 children drop out of school every day. These are children who are going to wind up being less than they could be. They certainly won't be as educated as they should be, or as productive economically as they should be; they won't be able to provide for a family the way they could. So high school dropouts is a problem. About 500,000 children drop out of school in America every year. We need to do something about that. That is a major problem that we need to address. I think and hope that this amendment would relate directly to that and provide school districts with money for those with special needs so they can use their money for other things such as renovating schools, doing something as it relates to making sure they have high quality teachers.

If we can come up with something that would keep some of those children in school—I am sure there is nothing we can do to keep all 500,000 of them in school every year, but if we can reduce the number of dropouts by 100 a day, 200 a day, 500 a day, so at the end of the year, instead of having 500,000 students dropping out of school, we would have 400,000, or 300,000. The fact is that we have to do something about this problem.

The Senator from New Mexico, Mr. BINGAMAN, and I offered amendments in the past two Congresses. The year before last we offered an amendment that passed the Senate and was killed in the House last year, I am sorry to report, on a strictly partisan vote. Our amendment dealing with dropouts was defeated. It was strictly a party-line vote.

What would our amendment have done? It would have created, within the Department of Education, a dropout czar, someone whose job it would be to focus only on high school dropouts in this country. There are programs around the country that work quite well. Many of them are very small, but we need somebody to help each school district, to be available, not to force the will of the Federal Government on local school districts, but to be available with resources to see if they can do something to help kids stay in school. If the school district wanted

help, they could come to the dropout czar in the Department of Education and get help.

I hope we can look at that during this debate to see what we can do to keep kids in school. As I said, the underlying amendment that we are debating now certainly would allow us to take some of that money now being used for special education and use it for programs such as high school dropouts.

The Federal Government has no intention of taking away the ability of local school districts to make their decisions, but what we need to be is a resource, to be a resource to help public education in America today. School districts all over America are begging for our help. They recognize there is not a movement in Washington to take over local school districts.

We have to recognize that schools should be controlled at the local level. Resources should be provided by the Federal Government, and, in my opinion, far more resources than 2 percent of the Federal budget. Why? Because we need to recognize that schools all over America are struggling. They are struggling because they cannot meet the high interest payments on the bonds they had to let to borrow money to build these schools. We recognize that around the country they are having trouble passing bond issues to provide for new schools and for renovating new schools.

We know there is a shortage of teachers. We have to do a better job of making sure teachers, who are educated at teachers colleges and other university systems around the country, are well qualified and meet certain minimum standards. We have to focus on this to make sure we have high-quality teachers and good administrators.

We have to recognize that smaller classes are important. We have to recognize on a Federal level we have a national problem across this country with school construction. We have to have a national program to help local school districts.

We have recognized for years that something has to be done about accountability. Goals 2000 is a step in that direction. We have to move on to that.

We have to make sure that children are allowed to go to school in safer schools—schools where the roofs don't leak. We have to make sure that children have access to computer equipment. That is a standard. When I was going to school, you had to have teeter-totters and swings. Now you need to have computers. Expanding activities in technology is vitally important. We have to make sure there is universal access to high-quality preschool programs.

I see on the floor today my friend, the senior Senator from Massachusetts, who more than any other person in America has made sure that we have a continuing dialog on preschool programs. Head Start programs and other programs are the brainchild of the Senator from Massachusetts.

We have to continue making sure we have high-quality preschool programs, which have been long established. The better preschool programs we have, the better students we have coming to school.

The way the family situation has developed, both parents are working. Because of the need they have, it is more important than ever that there be good, high-quality preschool programs.

The amendment now before us will allow that because it will free up money that simply isn't available to local school districts. I hope the amendment offered by Senator DODD will receive bipartisan support. The $1.2 billion set forth in this bill will be used to go directly to school districts. That is what this amendment does. Again, I hope it will receive bipartisan support.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Georgia.

Mr. COVERDELL. Mr. President, I see Senator KENNEDY from Massachusetts. I wish to respond for a moment or two to the comments of Senator REID. Then I think in the comity of events it would come to the Senator from Massachusetts.

Senator REID's statements dealt with a panoply of issues related to education but not necessarily to the amendment he just submitted for Senator DODD. In a word, the amendment offered by Senator DODD basically removes the education savings accounts provision. It would make that moot.

It is premised on the statement we have all heard many times that special education which was passed in the mid-1970s was supposed to have been funded in part by the Federal Government, in part by the State governments, and in part by the local governments. But the Federal Government never fulfilled its promise.

Interestingly enough, the Democrats were in the majority until 5 years ago. For the entire time they were there when it became law and was the agreement, they consistently ignored it.

Since a Republican majority has come to the Senate, under the leadership of a number of Members on our side—but particularly I will mention today Senator GREGG of New Hampshire—there has been a consistent attempt on our side to fund this special education funding. I will give you an example.

In fiscal year 1997, the President—that is their view—requested $2.6 billion for this need that the Senator from Nevada has been describing, but we increased that to $3.1 billion or almost a new $1 billion to put into special education. In the next year, the President offered a budget of $3.2 billion, but we passed, at the prodding of the Senator from New Hampshire, $3.8 billion or $700 million more.

In fiscal 1999, the President asked for $3.8 billion, but we answered with $4.3 billion, another half billion dollars for special education. In the fiscal year 2000 budget, the President asked for $4.3 billion, but we made it $4.9 billion.

The point is that on our side we have consistently been trying to improve this account for special education. That was ignored for almost 35 years on the other side.

I have to be a little suspicious of an amendment that suddenly wraps itself around the interest of special education when they couldn't do it for some 35 years previously. It actually took a new majority to start fulfilling their pledge for special education.

As I said, the effect of the amendment would be to make moot the education savings accounts. This issue came up last week in a discussion between myself and Senator WELLSTONE of Minnesota. This $1.2 billion or $1.3 billion that we are talking about being invested in education savings accounts will produce $12 billion in savings and investments in education. It is a classic situation. If we take the $1.3 billion and commit it to that which is recommended by Senator DODD, it will be worth $1.3 billion, and we will forfeit the value of the savings buildup that can go to do all the things about which the Senator from Nevada talked. It allows a family to purchase computers. It allows families to hire tutors. It allows families to aid and abet and assist their children who need or have special education requirements. The effect of this amendment would be to forfeit and give up the accumulation of $12 billion in new resources and new assets.

That seems to me to be pretty shortsighted. Why would we forfeit one of the largest infusions of resources—I might add one of the smartest infusions of resources—coming from the families themselves? We are not having to raise taxes to do it. No State, nor Governor, nor local school district is having to do it. People are doing it on their own. They are producing smart, intelligent dollars because those dollars will be invested precisely on the need of the students.

At the appropriate time, of course, I will urge our colleagues on a bipartisan basis to defeat this amendment because the effect of it is designed to make moot the education savings accounts. That is the ultimate goal of this amendment.

As I said, when you look at the history of the failure to deal with special education, I think the Senator from New Hampshire referred to this effort as somewhat hollow in that year after year, no attention was paid to the special accounts. Suddenly, we will use it as a weapon against an education savings account, which would choke out,

as I said, $12 billion in new resources. I am all for and will support in next year's budget additional funding for IDEA but not at the expense of forfeiting a voluntarily accumulated $12 billion that will come to the aid of public, private, and home schooling education all across the country.

I might add, the legislation we are debating deals with school construction. It does it in the appropriate way because it allows the decisionmaking to occur at the local area. The Senator from Nevada goes to great extent to suggest their plans will not interrupt or in any way constrain local school decisions. But the fact of the matter is, in the last 30 years quite the opposite has occurred. Most of our Federal programs have led to enormous constraints and mandates on local school districts. The education savings account goes in a completely different direction. It empowers parents and students and employers. It has no mandates.

So I remind everybody the legislation deals with education savings accounts empowering parents to help their children. It empowers employers to have programs of continuing education. It helps students who are in State-prepaid tuition plans so those resources are not lost to the tax collector. It contributes to allowing more flexibility so local school districts can be involved in school construction—this idea coming from Senator GRAHAM of Florida, from the other side of the aisle.

With that, I will yield the floor.

Mr. DURBIN. Will the Senator yield for a question?

Mr. COVERDELL. Certainly.

Mr. DURBIN. I say to the Senator, though we certainly disagree on approach, I commend him for his interest in education. One thing I found interesting in the analysis of my colleague's bill is the suggestion that most of the benefits for education will go to the wealthiest people in this country.

Will the Senator comment on that and tell me whether he believes, as I do, that though we want every family to have an opportunity, if we are going to have limited resources applied for incentives in education, we should look to working families and middle-income families—and lower income families, for that matter, who otherwise may not ever be able to send their kids off to college—as our highest priority, as opposed to the approach of the Senator, which apparently takes the wealthiest families as the highest priority.

Mr. COVERDELL. I am pleased the Senator asked the question. I do not know where he is getting the data. Let me respond in this way. The means test is identical to the one both the President and the Congress used for the higher education IRA. There is no difference. We all celebrated that IRA account. You can save up to $500 a year for your college education. All this says is it should be larger, $2,000, and it should be available for K–12. But there is no difference in the means testing.

The data I have seen over and over suggested over 70 percent of all these savings, or the use of the savings accounts, would go to families earning $75,000 or less. So if there is a pox on this means test, then there is the same one on an account which we have all been applauding for the last 2 or 3 years.

Mr. DURBIN. Will the Senator yield?

Mr. COVERDELL. I yield.

Mr. DURBIN. My argument or observation was we want all families to consider higher education and educational opportunities, regardless of what they are earning. I will just concede for the sake of this debate that the Senator from Georgia is correct, and the $500 IRA that was proposed by the administration, supported by all of us, probably does benefit those who can save. Generally, those are people in higher income categories.

My question to the Senator from Georgia is, if he is proposing a new program in addition to this, would it not be better now to focus on those who were not served by that $500 IRA and really focus on those families who may not have the benefit of it if we are going to expand our investment in education?

The Treasury Department estimates that under the Senator's bill, the wealthiest 20 percent, the upper one-fifth of families in America, will receive nearly 70 percent of the benefits. Wouldn't it be more fair, since the initial IRA, as my colleague noted, really helps those families, that additional money spent should go to working families and those who maybe have been overlooked by both the administration and the Senate to this point? Why do we want to continue this path of subsidizing families who are the wealthiest in our country?

Mr. COVERDELL. Maybe it is just a disagreement between the two of us about what constitutes wealth. I do not consider families, middle-income, earning $75,000 or less, as wealthy people. Maybe the Senator from Illinois or some other analysis does, but I do not. I think this is the backbone of the country. They are the people who bear the largest burden of the Tax Code. They are having a hard time. Their income tax is at the highest level since World War II. It is so high now that with the disposable income available to them, to do the things we expect them to do about raising their families, they cannot do any more.

So we may just have a disagreement over who is considered wealthy.

Mr. DURBIN. Will the Senator yield?

Mr. COVERDELL. I yield.

Mr. DURBIN. I say to the Senator, my guess is when we are talking about the upper 20 percent of America, we are not talking about those of $75,000 or less; we are probably talking about $75,000 annual income or more.

Mr. COVERDELL. I said that 30 percent of these accounts, as was the case with the account we have already passed, would inure to their benefit, which is not bad.

Mr. DURBIN. Less than a third?

Mr. COVERDELL. Yes. So two-thirds plus of this, in my judgment—we can disagree—is going exactly where we want it to go.

If I might add one other point, unlike the IRA we have already passed, and unlike any other IRA, this account allows sponsors. We do not know the data on that. It is a benefit to even the lower income. It allows parents, families, unions, benevolent associations, and employers to help open these accounts. From what I have seen of people trying to utilize new tools and resources, it is the struggling families who are most likely to use these accounts.

Mr. DURBIN. I will make one final comment and then I will yield the floor because I see the Senator from Massachusetts waiting. I do not disagree with the Senator from Georgia in his intent on helping families pay for education. That, too, is a concern of my colleague, Senator SCHUMER from New York, who supports the President's plan of deductibility of college expenses on your tax returns. I think that is an excellent way of increasing opportunity in education.

I do believe, if we are going to take our money and our surplus and invest it in education, we should look to those who, frankly, need the most help. I think it would be the working families. I am afraid the Senator's approach, according to the Treasury Department analysis, gives 70 percent of the benefits to families in the upper 20 percent of America. It tips the scales heavily to the wealthiest families. I agree with the Senator's comments, and I hope his bill will reflect we should direct more help to working families struggling to put their kids through college. I am afraid, as I see it, his bill does not do that.

Mr. COVERDELL. I will be very quick, and then I will yield so the Senator from Massachusetts will have his time.

Let me say, there is apparently some disagreement about the flow of the funds. Joint Tax states 70 percent of all benefits goes to families of $75,000 or less. Again, I repeat the means test is no different than the one that was established by the President and the Congress on the previous smaller savings accounts that we have implemented and, as I said, applauded.

I do appreciate the question from the Senator from Illinois and his interest, which I think is probably shared by all of us one way or the other, in making a very positive education environment for all in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator from Georgia for yielding. I, like others, have differences with the Senator, but I admire his persistence in this idea and his strong commitment to this proposal. Many of us welcome the opportunity to debate issues on education policy at this point in the session. We have been in session for a number of weeks, and we have dealt with the issues of the Marianas, bankruptcy, and one or two judges. As we come into the first of March, we are very slow and reluctant in addressing concerns of families. This is one of the issues of education.

There always seems to be some interruption. All of us are looking forward to visiting with our Governors. I am looking forward to visiting with mine. Nonetheless, sometime we ought to be about the Nation's business, and the Nation's business is the whole role of how the Federal, State, and local governments are going to provide assistance to make sure we have the best educational system.

We have a responsibility in the area of health care to ensure a full Patients' Bill of Rights so families know the information they get from the doctor is the doctor's recommendation and not an insurance agent's recommendation who is more interested in the bottom line.

We have a responsibility to debate and act on the question of prescription drugs. There is not a group of seniors in my State of Massachusetts who do not place prescription drugs as their foremost concern, and it is a legitimate concern.

We ought to be about the business of addressing those issues. These are some things on the minds of people.

We have started this debate on education policy, and we will be following up tomorrow in our Health, Education, Labor, and Pensions Committee on the reauthorization of the Elementary and Secondary Education Act.

The American people ought to understand that we provide very little out of the Federal budget to education. As my friend and colleague from Nevada has pointed out, it is about 2 percent. Most American families say: Out of $1.7 trillion, we ought to be providing more than 2 percent.

Most would want us to do it, most believe we should do it, but we have not done it. It has been resisted. I imagine we will see further resistance in the Senate debate, finding there are other priorities.

As we know, 7 to 7.5 cents of every Federal dollar goes to the local communities. We are talking about scarce resources. We have to understand we either appropriate the money or we provide tax breaks or tax incentives. It all basically comes from the budget.

What we are talking about today is $1.2 billion over the next 5 years and how it will be used. The Dodd amendment says there are public policy issues related to education that have a higher priority. He will insist the Senate vote to decide whether we are going to provide the $1.2 billion to assist local communities to offset the additional costs that are necessary for needy children, or whether the $1.2 billion will go to 7 percent of families with children in private schools.

Half the money in the Coverdell proposal, which is represented by one of these little figures on this chart, will go to benefit one of these figures and the other half will go to benefit those who go to private schools. That is not something we have admitted or stated. That is even according to Mr. COVERDELL, as he said on February 23:

> The division of the money is 50–50.

At the start of this debate, we have to ask: Where do we want the limited resources to go? Do we want to strengthen the public school systems, or do we want to divert scarce resources to the private schools? Private schools play an enormously important role in our society, but we are talking about scarce resources.

What does the Dodd amendment do? It says if we have $1.2 billion, we ought to use that $1.2 billion to help all the families in communities across the country who are burdened, in one sense, but also given an opportunity in another sense, to provide some decent education for children who have special needs. That opportunity developed in the 1970s as a result of Supreme Court cases decisions that said the guarantee by the States of educating their children also applies to special-needs children.

Our friend, Governor Weicker of the State of Connecticut, introduced legislation to help offset those additional needs for those schools. Over time, we have been trying to increase funding for special-needs children.

I take my hat off to our good friend from the State of New Hampshire, Mr. GREGG, who insists we put this as the first priority for all Government funding. Many of us believe we should increase funding for special-needs children. Senator DODD's amendment, which is so compelling, says: Look, if we have $1.2 billion, let's take that $1.2 billion and help all the communities across the country that are providing assistance to special-needs children. That is more important than taking half of that money and giving it to the private school students. I think a pretty good case can be made for that.

Senator DODD has offered an amendment in the past to do exactly that. On April 23, 1998, he offered that amendment, and it failed by a narrow margin. He was able to marshal almost half of the Senate. We are very hopeful the Dodd amendment will be successful today.

I offered a similar amendment in March of 1999 at the time the Senate was considering the $792 billion tax break bill. The tax break bill—remember that?

We listened to many of our colleagues talking about the importance of having special education and funding special education. I offered an amendment that said: All right, let's adopt what would have been part of the tax break bill to fund special education needs for the next 10 years. Do you know what that would have meant in terms of a reduction in the tax break bill? It would have reduced the total tax break for fortunate individuals and corporations by only a fifth. Four-fifths would have still gone through the Senate.

That was a pretty good opportunity to say: If we are really serious about trying to do something for special-needs children, let's go ahead and take the opportunity with real money—not authorizations, not on appropriations that may be rejected or vetoed because they have other kinds of proposals; no gimmicks—let's do something that is actually going to go to the President of the United States, something that is going to go on through and at least be considered. Not a single vote—not one vote, not five votes, not four votes, not three votes, not two votes—not a single one came from that side of the aisle.

You can imagine why many of us, when we hear these statements on the other side about the importance of special education and special needs, why we take that with a good deal of doubt.

The fact of the matter is, many of these proposals that we will have an opportunity to debate later on have some important impact on special education. In smaller classes, teachers can help identify those children with some special needs and can be separated out to be given the extra help and assistance they need, instead of the children being thrown into the situation where it makes it much more complicated and expensive.

Early involvement, through the expansion of the Head Start Program, most importantly, can get some help and assistance to those students; and, secondly, save a good deal of resources in funding.

We do not believe you ought to place one group of children against another, but some do. Those of us who have been in support of the President's program, Vice President GORE's excellent program, with an emphasis on early intervention, do not believe in pitting one child against another.

We will have the opportunity to follow Senator DODD's leadership and say: Let's just take this funding—half of the money goes to about 10 percent of the children, and half of it goes to 90 percent of the children—let's say: We find that this is sufficiently important that we are going to provide the funds for all of the special needs.

I do not want to take much time of the Senate, but I do want to review a little bit about education policy in recent times because I believe this is a matter of enormous importance and consequence. We ought to understand whether this is just a policy difference between us or whether this is something that is much more basic and fundamental.

I have here statistics going back for the last 6 years under Republican leadership, showing where the Republican leadership has been on the issue of cuts in education funding.

In the 1995 House rescissions bill, we have $1.7 billion enacted. It had been appropriated, and the President signed it. The new leadership said: We are going to go right back there under rescissions and take $1.7 billion. That was done just after the election.

In 1996, House Appropriations cut $3.9 billion below the previous year. In 1997, it was $3.1 billion below the President; in 1998, it was $200 million below the President; in 1999, $2 billion below the President; for the fiscal year 2000 House bill, $2.8 billion below the President.

You cannot say: Well, you can do anything with figures around here. That is a pretty consistent record of where the Republican leadership has been over the last 6 or 7 years on the priorities of education.

Those of us who believe in investing in children, who believe we need a partnership at the Federal, State, and local level, are not saying that money, in and of itself, is going to provide all the answers. But what we are saying is: Investing in resources is a pretty clear indication of a nation's priorities and a pretty clear indication of what is believed to be important.

Where you had 3 or 4 years ago the cutting of billions and billions of dollars, and abolishing the Department of Education, now we come out with $1.2 billion—some $300 million a year—as their first priority in the areas of education.

I have some difficulty in believing that is really what the American people want. I think the American people want us to say: Let's get the best ideas among Democrats and Republicans to get the best trained teachers and put them in every classroom in America. And let's find out how to make sure that teacher is going to stay there. Let's find out how we are going to be able to cut back on the size of larger schools so we can get students into smaller classes, which has been demonstrated to show a higher degree of academic performance.

Let's talk about afterschool programs and how they are being tied to performance in universities and how they are being tied to the private sector, where there are job opportunities with help and assistance from tutorials.

Let's talk about programs such as the one I saw just yesterday in my home city of Boston. Intel, one of the great American companies, is doing workshops to try to provide help and assistance to inner-city kids. They are going to open up programs around the country. Let's talk about what they are doing. If those programs are so good, we ought to be able to replicate them. Let's talk about how we are going to provide greater opportunities for kids to continue on into higher education.

It seems to me the American people want this debate and want it out here on the floor of the Senate. But, oh, no, we have this particular proposal.

That is why I think it is so important that we have the opportunity to vote on the Dodd proposal. What we are basically saying is: All right, $1.2 billion; let's put this in the areas of special needs. Let's go ahead and help them. That is an important area. Let's go on and provide that kind of help and assistance.

Senator DODD knows so well, as others, that before we had the IDEA, we had about 5.5 million children locked in closets who never went to school.

Now we find that children who are going to complete high school, 57 percent of the disabled youth are competitively employed within 5 years after leaving high school, compared to an employment rate of 25 percent for disabled adults who have never benefited from IDEA. When we invest in these children, we get results. The Dodd amendment is what is going to get results for some of the neediest causes for families in this country.

In my own State of Massachusetts, there are small towns where families have these kinds of challenges with regard to a particular individual. The schools have to provide those services. It provides a very significant increased burden on the taxes of those local communities. Let's say, look, wherever they are, if they are in Georgia, if they are in Illinois, if they are in Massachusetts, they are going to get some help and assistance from this particular program.

There is a priority. That has a higher priority than just providing this kind of money that is going to be scattered the way it has been indicated. That is the essence.

I see the good Senator from Connecticut, our leader on this fight time and again. We commend him for staking out, in the first real order of business, the first real order of debate, the importance and significance of this amendment and helping to provide for families who have special needs children.

I yield to the Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator for his presentation this morning and his leadership throughout his career in the Senate on issues of education. There is no Senator on the floor who can hold a candle to Senator KENNEDY when it comes to issues of education. He not only understands them in a better way than most of us, but he is more articulate, forceful, and committed than any Member of the Senate. It is a pleasure to join him in this debate this morning.

I think he has very convincingly laid out the case of the difference between the two parties. Our Republican friends on the opposite side of the aisle have a different view of education than Democrats do. There have been those on the Republican side who have called for abolishing the Department of Education in Washington. There have been those, as well, who have suggested that if the Federal Government has a role, it should be in supporting private schools with the so-called voucher system.

There have been those who have opposed suggestions from the President and others that if the Federal Government is to have a role, albeit a small role, it should be focused on things that are so important for every school district across America, whether it is modernizing our school buildings so the kids who presently are enrolled have an opportunity and access to the best technology to prepare them for the future, whether it means teacher training so the teachers we respect so much today can continue to develop their skills, so the children coming in the classroom really are, in many cases, taught by teachers who understand the new technology as well or better than the children.

There is a standing joke in my office that if you can't understand how the computer works, look for a teenager. I think most of us understand that young people because they have been raised in this culture and have no fear of this machinery, many times eclipse the skills and talents of even the teachers in the classroom.

Democrats believe on focusing some money on teacher training. A better trained teacher is going to do a better job in the classroom. Of course, the reduction of class size is part of this as well. I have seen school districts in my home State of Illinois and the city of Chicago, in a more Republican area in general, Du Page County, a wealthier area, where teachers tell me, with a smaller class size they can pick out the kids who need special help and make sure they keep up with the class. They can also identify the gifted kids and give them better and tougher assignments so they can improve, too. These are the issues on which Democrats have said time and again we should focus.

Our colleague, Senator DODD from Connecticut, has joined us. I am happy he is here because he has a very critical amendment. Where Senator COVERDELL's bill suggests we will focus

half of the assistance in this new program on private schools where only 10 percent of our kids attend school and where he has said the vast majority of the resources in his bill will go to the wealthiest families in our country, those in the upper 20 percent, Senator DODD comes in with a much more practical and grounded alternative.

I will leave it to the Senator to explain it in detail, the idea that we would provide school districts across America, rich and poor, wherever they are located, assistance in helping to educate kids with special needs. Meet with any school board member, any school superintendent, or many teachers for that matter, and ask them about the challenges of today. They will tell you that kids with special needs, disabled kids, need special attention so they can develop their highest potential. It costs money to do it. It takes extra resources. We have made the commitment in theory. What Senator DODD suggests is we should put our money where our commitment is and say to these school districts that we will help you with these kids. We believe it is worth the investment.

At this point I see Senator DODD is on the floor and prepared to discuss his amendment. I am happy to yield to my colleague from the State of Connecticut.

Mr. DODD. Mr. President, I thank my colleague for yielding. Let me also thank our good friend, the Senator from Nevada, HARRY REID, for introducing the amendment on my behalf. Unfortunately, I was delayed this morning due to a problem with my flight. I apologize for not getting here earlier and I am grateful to my colleague for stepping in to help.

I see my good friend from Georgia is here. We have gone around on this issue in the past. I have great respect and admiration for him. We disagree on this issue, so I am sure we will have a good healthy debate about it.

In fact, we may not disagree about it at all. What I am trying to do with this amendment, I presume my friend from Georgia and others would also support. Let me briefly outline the amendment for my colleagues. While we only have a few minutes this morning, we will resume debate this afternoon.

It is somewhat ironic, in a way, that we will be meeting in about 22 minutes with the national Governors. We will gather together and have a joint meeting. I commend the leadership for arranging that.

Due to this meeting, I think it is worthy of note that the Governors are headed up by Mike Leavitt, Governor from Utah; Governor Mike Huckabee, vice chair on Human Resources from Arkansas; Governor Jim Hunt from North Carolina, who is the chair of the Committee on Human Resources; and Governor Tom Carper of Delaware, who is co-chair with Mike Leavitt of the National Governors' Association.

This letter is dated a year ago, but it was about a year ago that we engaged in a similar debate. At that time, a letter was sent to our colleague, PETE DOMENICI, chairman of the Committee on the Budget. The letter specifically addresses the issue my amendment proposes to correct or to at least offer to provide some support for special education funding. The letter says:

As you prepare the budget resolution for the coming fiscal year, the nation's Governors urge Congress to live up to agreements already made to meet current funding commitments to states before funding new initiatives or tax cuts in the federal budget.

The federal government committed to fully fund—defined as 40 percent of the costs—the Individuals with Disabilities Education Act (IDEA) when the law, formerly known as the Education of the Handicapped Act, was passed in 1975. Currently, the federal government's contribution amounts to only 11 percent, and states are funding the balance to assist school districts in providing special education and related services. Although we strongly support providing the necessary services and support to help all students succeed, the costs associated with implementing IDEA are placing an increased burden on states.

We are currently reallocating existing state funds from other programs or committing new funds to ensure that students with disabilities are provided a ''free and appropriate public education.'' In some cases, we are taking funds from existing education programs to pay for the costs of educating our students with disabilities because we believe that all students deserve an equal opportunity to learn. Therefore, Governors urge Congress to honor its original commitment and fully fund 40 percent of Part B services as authorized by IDEA so the goals of the act can be achieved.

Mr. President, I also have a letter, dated February 23, 2000, from the National School Boards Association opposing the underlying bill, the Affordable Education Act, and supporting my amendment. Specifically, I quote from the letter:

NSBA believes that a greater benefit for children and taxpayers alike will occur if this money is spent meeting the unmet federal commitment in special education. Throughout the country, taxpayers are indirectly paying higher school and property taxes in their districts to compensate for the federal funding shortfall in the education of children with disabilities. Rather than create a tax benefit for a select few, applying these funds to special education would benefit more taxpayers and public schools.

I ask unanimous consent that the letters from the Governors, as well as the National School Boards Association, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS ASSOCIATION,
March 9, 1999.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As you prepare the budget resolution for the coming fiscal year, the nation's Governors urge Congress to live up to agreements already made to meet current funding commitments to states before funding new initiatives or tax cuts in the federal budget.

The Federal Government committed to fully fund—defined as 40 percent of other costs—the Individuals with Disabilities Education Act (IDEA) when the law, formerly known as Education of the Handicapped Act, was passed in 1975. Currently, The Federal Government's contribution amounts to only 11 percent, and states are funding the balance to assist school districts in providing special education and related services. Although we strongly support providing the necessary services and support to help all students succeed, the costs associated with implementing IDEA are placing an increased burden on states.

We are currently reallocating existing state funds from other programs or committing new funds to ensure that students with disabilities are provided a ''free and appropriate public education.'' In some cases, we are taking funds from existing education programs to pay for the costs of educating our students with disabilities because we believe that all students deserve an equal opportunity to learn. Therefore, Governors urge Congress to honor its original commitment and fully fund 40 percent of Part B services as authorized by IDEA so the goals of the act can be achieved.

This is such a high priority for Governors, that at the recent National Governors' Association Winter Meeting, it was a topic of discussion with the President as well as the subject of an adopted, revised policy attached. Many thanks for your consideration of this request.

Sincerely,

GOV. THOMAS R. CARPER.
GOV. MICHAEL O. LEAVITT.
GOV. JAMES B. HUNT, Jr.,
Chair, Committee on Human Resources.
GOV. MIKE HUCKABEE,
Vice Chair, Committee on Human Resources.

NATIONAL SCHOOL BOARDS ASSOCIATION,
Alexandria, VA, February 23, 2000.

Re Oppose S. 1134, the Affordable Education Act

MEMBER,
U.S. Senate,
Washington, DC.

DEAR SENATOR: On behalf of the nation's 95,000 local boards members, the National School Boards Association (NSBA) urges you to oppose S. 1134, the Affordable Education Act.

NSBA is opposed to this legislation that would expand education savings accounts to allow tax-free expenditures for K–12 public, private, and religious school tuition. NSBA believes that limited public funds could be better invested in priority areas of K–12 education. Specifically, Congress should focus scarce tax dollars on the federal government's current obligations to our nation's public schools.

The Joint Tax Committee estimated that K–12 education savings accounts come with a price tag of well over $2 billion over ten years. In addition to the expense of this program, education savings accounts would disproportionately be used by affluent families and provide very little benefits to lower and middle income families. NSBA believes that a greater benefit for children and taxpayers alike will occur if this money is spent meeting the unmet federal commitment in special education. Throughout the country, taxpayers are indirectly paying higher school

and property taxes in their districts to compensate for the federal funding shortfall in the education of children with disabilities. Rather then create a tax benefit for a select few, applying these funds to special education would benefit more taxpayers and public schools.

Providing additional funds for students with disabilities will enable Congress to take a small step forward in eliminating the unfunded mandate on local school districts. This, in turn, will free up funds at the local level to help increase student achievement for all students.

NSBA urges you to oppose the education savings accounts legislation. If you have questions, please contact Dan Fuller, director of federal programs, at 703–838–6763.

Sincerely,

MICHAEL A. RESNICK,
Associate Executive Director.

Mr. DODD. Let me again make the point I made last week and will make again this afternoon. There are parts of this bill the Senator from Georgia is offering with which I have no disagreement. However, it seems to me that we are talking about relatively scarce resources. While we are in a surplus—and we all applaud this fact—we all know we don't have all the money we would like to spend in educational areas. But to have a tax break of a $1.2 billion over 5 years, the cumulative benefit, according to the Joint Committee on Taxation, would amount to $20.50—$20.50 on average.

My amendment would provide a benefit that would go back to our communities where we know from our mayors and county executives how difficult it is for local taxpayers to support the costs of special needs education. In some cases, the cost of a special needs child can be $50,000 or more per year. Now, on average, it is a lot lower, but there are cases that are not that rare, in fact where the costs are very high, that is borne by the local property taxpayers, or the State taxpayers.

We made a commitment—the Federal Government—and said: we think you ought to provide an education for all children in this country. We think it is important to educate children with disabilities. I will tell you what we will do, communities and States. If you will support this effort and put up 60 percent of the money, we will put up 40 percent of the money.

Despite the fact we made that commitment more than a quarter century ago, we have only gotten up to 12.7 percent. Now, $1.2 billion doesn't get you to 40 percent, but it gets you a lot closer. That is real tax relief, what the Governors are asking us to do, what the national school boards are asking us to do, and what our mayors and county executives have asked us to do.

I can't think of a better way to allocate $1.2 billion if we are going to do it at this juncture, do what the Governors asked us to do and what the mayors asked us to do—that is, be the partner we promised to be on special education.

My mayors in Connecticut tell me it is the most important issue to them. I asked them what we can do to help them out. They say: Help us in this area. You made the promise, so why don't you do it?

Instead, what we do too often is pit people against each other in local communities, where a family, unfortunately, has been hit with a child born with a significant disability and, all of a sudden, the cost of educating that child is high, and there are people who resent that fact locally. It creates tensions in our towns and cities. I don't think that ought to be the case. So with scarce resources, why not pitch in, why not meet the commitments we have made.

This may take a supermajority vote. I suspect there is going to be a point of order raised against this amendment that will require 60 votes. I have listened to my colleagues over and over, going back some 7, 8, 10 years ago when I first offered this amendment in the Budget Committee. I lost the amendment on a tie vote. To the credit of the majority leader, TRENT LOTT, he supported me, as did several other Republicans. However, I lost some Democratic votes on the Budget Committee. Almost every year since then, I have offered some variation of this amendment. We have come close some years, not so close in others. But all of us know when we go back to our States, this is an issue our constituents and their representatives at the local level care about, and they want the Federal Government to live up to the commitments we made so many years ago.

It is important to children with special needs. Again, I am preaching to the choir, I suspect, because all of my colleagues care about education. But if we are going to have the best educated population this country has ever produced—and I think we need to do that if we are going to succeed in the 21st century—then we have to make intelligent investments of taxpayer money when it comes to achieving that goal.

We have children with special education needs. This is an opportunity now for us to not provide a $20.50 average tax break, but to get money back to these communities that will allow them to provide the kind of educational opportunity for children with special needs who can be productive, contributing members of our society. But if children with disabilities don't get the educational tools they need, they too often face insurmountable obstacles.

Again, it is not that what the Senator from Georgia has proposed is necessarily a terrible idea; I am not suggesting that. I suggest if you have limited resources, and we have clear choices—I think most Americans when confronted with the choice of getting a $20.50 tax break over 5 years, or seeing this money go to defray local property taxes or State taxes, to live up to the commitment on special education, I believe most Americans would choose the latter; they would see this as a better investment of their tax money by reducing those costs.

So I also want to add, if I could at this point, a list of what it costs each State, the charts that will spell out in each State the special education costs. They are very high. These are very high costs in terms of what we are contributing. To give you an idea, in the State of California, in special education costs, we come up with 5 percent of the money, the State comes up with 71 percent, and the local government comes up with 24 percent. Going on down this list of various States, to give you some sense of it. In the top State I can find, Indiana, we do 17 percent, the State does 63, and the local does 20. Most of them are in the single-digit area where it is 4, 5, 6, 9 percent coming from the Federal Government.

Mr. President, I ask unanimous consent that this list of education expenditures reported by selective States on special education be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE I–2—SPECIAL EDUCATION EXPENDITURES AS REPORTED BY SELECTED STATES

[19th annual report to Congress: Section I—The costs of special education]

State	Total special education expenditures*	Associated special education student count**	Average State-defined special education expenditure per student	Percentage of support by source			Confidence in data
				Federal	State	Local	
California	[A] $3,070,700,000	[D] 550,293	$5,580	5	71	24	SC
Colorado	[A] 260,337,092	[E] 76,374	3,409	9	31	60	HC
Connecticut	627,331,211	73,792	8,501	4	37	59	HC
Florida	[B] 1,470,186,078	[D] 290,630	5,059	6	56	38	C
Indiana	[B] 350,430,294	127,079	2,758	17	63	20	NC
Iowa	[B] 277,700,000	[E] 65,039	4,270	11	70	19	HC
Kansas	[B] 326,106,608	47,489	6,867	7	54	39	HC
Louisiana	427,924,416	[E] 108,317	3,951	6	94	0	C
Maine	[B] 145,000,000	30,565	4,744	8	59	33	HC

TABLE I–2—SPECIAL EDUCATION EXPENDITURES AS REPORTED BY SELECTED STATES—Continued

[19th annual report to Congress: Section I—The costs of special education]

State	Total special education expenditures*	Associated special education student count**	Average State-defined special education expenditure per student	Percentage of support by source			Confidence in data
				Federal	State	Local	
Maryland	757,328,777	95,752	7,909	5	26	69	HC
Massachusetts	1,065,523,416	149,431	7,131	6	30	64	HC
Michigan	[B] 1,334,000,000	[F] 188,703	7,069	6	34	60	HC
Minnesota	[A] 689,656,932	[D] 96,542	7,144	6	70	24	NC
Missouri	436,778,659	[G] 121,419	3,597	10	30	60	C
Montana	54,865,132	17,881	3,068	14	60	26	HC
Nevada	202,369,114	24,624	8,218	4	40	56	C
New Mexico	[B] 250,000,000	45,364	5,511	9	90	1	SC
North Carolina	[C] 344,809,332	142,394	2,422	15	76	9	HC
North Dakota	54,560,122	12,180	4,479	10	31	59	SC
Rhode Island	147,300,000	25,143	5,858	5	36	59	HC
South Dakota	61,618,034	15,208	4,052	13	49	38	HC
Vermont	79,155,945	[H] 10,131	7,813	5	39	56	HC
Virginia	608,692,266	[D] 129,498	4,700	9	23	68	C
Wisconsin	[A] 630,000,000	95,552	6,593	6	62	32	C
Total for all reporting States	13,929,607,674	2,581,905	5,395	7	53	40	
Total for highly confident or confident States	9,514,260,326	1,750,477	5,435	7	44	49	

*States reported for the 1993–94 school year except as designated below.

**Count of students reported by the State associated with the reported total expenditure; includes age range 3–21 except as designated below.

[A] 1992–93 [B] 1994–95 [C] 1990–91 [D] Includes age range 0–22 [E] Includes age range 0–21 [F] Includes age range 0–26 [G] Includes age range 3–22 [H] Includes age range 5–22.

Confidence in Data:

HC—Highly confident SC—Somewhat confident C—Confident NC—Not confident.

Source: CSEF Survey on State Special Education Funding Systems, 1994–95.

Mr. DODD. Mr. President, it is unfortunate, in a sense, to begin this dialog with such a piece of legislation that my friend from Georgia has offered, which I think is not well conceived in terms of the impact it could have, if we chose to dedicate it to special education.

While education may be the issue foremost in the minds of the American public, I highly doubt that the public has this legislation before us this morning in mind when they think of ways the Federal Government could be helping to improve our schools in this country.

Education savings accounts, as proposed in this legislation, represent, in my view, bad education policy, bad tax policy, and a waste of valuable Federal resources that could be so helpful if directed to public schools and special education needs. In fact, the legislation offered by our friend and colleague from Georgia offers very little to public schools.

Remember, there were 55 million kids in this country getting up and going to school a couple of hours ago. They went off to elementary and secondary schools this morning across the country; 5 million went to a private or parochial school; 50 million went to a public school. Even if we try to take every kid out of a public school and put them in a private school, they would not fit. The overwhelming majority of kids who went to school this morning went to a public school. Certainly, while we bear a responsibility to try to improve the quality of education for all children, we certainly have a unique and special responsibility to see to it that public education gets our undivided attention—at least the majority of our attention on this issue, not at the exclusion of the others.

Certainly, we have a very high degree of responsibility to see that these children are going to get the quality education they deserve. According to the Joint Tax Committee, not a partisan committee, the average benefit per child in public school would be approximately $20.50 over 5 years. I ask the question: How is the family of a public school student going to improve their child's education environment with an average benefit of $5 a year? I believe, however, that we can salvage the bill before us and make a real contribution to the work of teachers, parents, and our communities.

My amendment simply does the following: It takes the $1.2 billion in this proposal and sends it down instead to local schools to help meet the costs of special education. This straightforward proposal offers an alternative to the underlying legislation, which will make a real difference, in my view, in education and in our schools.

Upon the enactment of the Individuals With Disabilities Education Act in 1975, the Federal Government committed to our State and local governments around this country—to all 50 States—that it would contribute—we would, the Federal Government would, the Congress would—40 percent of the funds needed to provide special education services. That was 25 years ago we made that commitment.

Presently, the Federal contribution for special education is 12.7 percent of their special education costs. And that varies from State to State. The Federal contribution to special education has never risen above 13 percent. The Federal Government, today, would need to boost its IDEA funding an estimated $15.8 billion to live up to its original commitment to our Nation's special needs children in our districts and States across the country.

The amendment I offer this morning would redirect the $1.2 billion over 5 years spent by the Coverdell initiative to IDEA. These funds would directly aid State and local school districts in providing the critically important special education services children with disabilities deserve.

I often hear from school and town officials in my State of Connecticut—as I am sure the Presiding Officer does in Idaho, and my colleague from Georgia does as well—about the high costs associated with providing special education services. Our local school districts are struggling to meet the needs of their students with disabilities which at times can be overwhelming to smaller rural communities. In Connecticut, the State spends more than $700 million annually, or 18 percent of the State's overall education budget, to fund special education programs. In Torrington, CT, special education costs recently increased from $635,000 to $1.3 million over a two year period. Torrington is a relatively small, midsized, urban community in my State. It is not Hartford, Bridgeport, New Haven, or Stamford. Torrington is a small town. $1.3 million in that small town's budget goes to provide special education services. However, for my part, I believe the issue is not that special education services may cost too much. They are clearly a good investment, in my view, over the long term. Rather, the issue is that the Federal Government contributes too little.

Congress passed the IDEA legislation. I believe Congress should fulfill its commitment to our Nation's special needs children and our communities by increasing its share, as we committed to do, of special education costs before we enact legislation proposals such as the one before us that do nothing, in my view, to improve the quality of our public schools.

Over the last few years, this body has greatly strengthened the federal commitment to children with disabilities.

Since fiscal year 1998, Congress has increased special education funding by 25 percent. However, that money is spread thinly across 50 States.

Despite the Federal Government's recent increases in its support for special education services, the cost of providing these services has risen dramatically in recent years. Our recent increases in funding are not keeping pace with increased costs. Today, providing special education services to a child with a disability costs about 2.3 times that of regular education. Special education spending grew 19 percent of all school spending in 1996 across the country.

Thus, changes in enrollment in special education programs in recent years is also a key factor behind increases in costs for special education programs. In the last 5 years alone, schools' special education enrollment has increased by 12.6 percent. Today, 1 out of every 10 students in public schools receives special education services under the IDEA legislation.

In my own State of Connecticut, approximately 14 percent of all students are enrolled in special education programs. Our State and local school districts need our help. The amendment I am offering today moves us in the right direction.

According to a 1996 Gallup poll, 47 percent of those surveyed said America is spending too little of its education budget on students with special needs. Only 5 percent of those surveyed reported that too much is being spent on special needs children. The amendment I offer Senator COVERDELL's legislation would address this public concern.

By increasing the Federal contribution to States for special education services, I believe we will greatly aid State and local school districts by allowing them to reduce the disproportionate share of special education services they have had to carry for far too long. When school districts are forced to increase the amount of funds for special education, they are often forced to raise taxes or reduce funding for nonspecial education programs. These school districts need our help. More importantly, though, children with disabilities need our help more.

Demonstrating the importance of special education funding to our States, the National Governors' Association—again, I refer to the letter behind me to the Senate Budget Committee chairman—asks Congress to fulfill its commitment to special education funding before ''funding new tax initiatives or tax cuts'' such as being proposed by the Coverdell proposal.

Additionally, the National School Boards Association letter dated February 23 to all Senators says, ''Rather than create a tax benefit for a select few, applying these funds to special education would benefit more taxpayers and public schools'' across the country.

We often like to talk in this body about what the public wants and what they need. Yet here we have the National School Boards Association, those who every day have to make the tough choices deciding how to operate our schools across the Nation, asking us not to enact tax relief that would only benefit a select few and telling us what our children really need—better qualified teachers, smaller class sizes, and more funds for special education.

Today, I hope as we come back later in the afternoon to this amendment that our colleagues will rally behind us. We could accomplish a great deal. It would be a major first step in coming together in a bipartisan way to do something about which all of us have talked to our States about for many years, and that is to be a better partner when it comes to educating children with special needs. We have not been the full partner we promised to be. The costs are going up, and the local taxpayer is being saddled with that burden.

We have an obligation and I think a responsibility. We can live up this obligation this afternoon by voting for this amendment and saying that the $1.2 billion in this proposal we will given back to our States to give to these children, to these mayors, to the county executives, and to our Governors to see to it that these children and our communities will have an opportunity to meet those responsibilities.

I see that the hour for us to recess is about at hand. I will not delay the proceedings of the Senate any longer except to note that I will come back this afternoon to talk about this further and invite my colleagues to come forward on both sides of the aisle to engage in this discussion. We haven't had many votes this year. We haven't had much of an opportunity in this Congress to express what we think the priorities of the American public are and how we can fulfill them. But we all know education is right at the top of American's priorities, indicating that the American public wants this Congress, their Government, to pay attention to the needs of the educational responsibilities in our country. I think we have a chance to do that today with this amendment.

Presently, we only contribute 7 cents out of every dollar to education. Ninety-three cents comes from local and State taxes. Seven cents comes from Washington DC. But here we have a chance, with our 7 cents, if you will, to do something meaningful for our States and meaningful for these families and children with special education needs.

My sincere hope is that when the opportunity arises for us to answer the rollcall on how we stand on this issue, this body will vote overwhelmingly in support of this amendment and do something very meaningful today with a message we can give our Governors as they go back to their States, and say, Congress is a partner when it comes to special education needs.

I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I will have a good bit to say about this most recent presentation by the Senator from Connecticut. Now is not the time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, it is my understanding by previous order we are to recess at 11.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 11 a.m. having arrived, the Senate stands in recess until 2:15.

Thereupon, at 11:01 a.m., the Senate recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE EDUCATION ACT OF 1999—Continued

Mr. COVERDELL. Mr. President, I ask unanimous consent that the time between now and 4 p.m. be consumed in an equally divided fashion for debate on the pending Dodd amendment, and at 4 p.m. the Senate vote in relation to the Dodd amendment. I further ask consent that following the vote, the Senate resume consideration of the Collins amendment No. 2854.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I further ask unanimous consent that